

**Chadds Ford Township Board of Supervisors Special Meeting
February 18, 2005
M I N U T E S**

OFFICIALS PRESENT: Deborah Love D'Elia, Acting Chairman
Garry Paul, Supervisor
Hugh A. Donaghue, Township Solicitor
James C. Kelly, Township Engineer
Kevin Matson, EIT, Kelly Engineers
Richard J. Jensen, Building Inspector, CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER

Mrs. Love D'Elia called the special meeting of the Board of Supervisors to order at 3:30 PM. A public hearing on amendments to Stormwater Ordinance 104 was held prior to the Special Meeting. The Pledge of Allegiance was said and emergency exits were identified.

Mrs. Love D'Elia announced that a public hearing on the Route One Overlay was continued to the next regular Board of Supervisors' meeting and will be held at 7:00 PM on Wednesday, March 2, 2005, at Township Hall.

CHADDS FORD BUSINESS CAMPUS LOTS #10, #11 and #12 - REVISIONS TO LAND DEVELOPMENT PLAN PRESENTATION

Donald T. Petrosa, Esquire and Jeffrey Nagourney, PE, reviewed revisions to land development plans for Chadds Ford Business Campus Lots #10, #11 and #12. A full review was made at the February 2, 2005 Board meeting. The principal issue raised at that time was the elimination of an access road, which in turn led to the elimination of an easement from Henderson to Toll. There was also a slight change in a dedication note on the plan in order to be consistent with the resolution granting Toll tentative approval of the PRD plan. Mr. Donaghue reviewed the note and approved same.

Mr. Nagourney reviewed three colored plans for Lots #10, #11 and #12. The Supervisors' concerns with ingress and egress have been addressed and changes made.

Ms. Love D'Elia asked for public comment. Lana Sheer, Atwater Road, complained of the poor condition of Dickinson Drive. Mr. Jensen replied that the Henderson Group is responsible for maintaining that road.

Mr. Reiter questioned what portion of Hillman Drive the Township will accept. Mr. Nagourney read a note from the plan:

"The Township has agreed to accept dedication of that portion of Hillman Drive (when properly constructed) extending from its intersection with Road 'A' (proposed) to the proposed western terminus of Hillman Drive on the westerly property lines of Lots 11 and 12 of the Chadds Ford Business Campus, as shown on the plans titled 'Final Land Development Plans for Chadds Ford Business Campus Lot #12,' in accordance with the Township's usual dedication requirements and procedures. Wilbur C. Henderson & Son has agreed to dedicate the aforesaid portion of Hillman Drive to the Township for public road

use.”

MOTION TO APPROVE RESOLUTION 2005-6 – REVISIONS TO LAND DEVELOPMENT PLAN OF CHADDS FORD BUSINESS CAMPUS LOTS #10, #11 AND #12

Upon motion and second (Paul, D’Elia), the Supervisors present approved revisions to the Land Development plans of Chadds Ford Business Campus Lots #10, #11 and #12, subject to the five (5) conditions and waivers as contained therein.

Mr. Donaghue asked if the applicant would agree to the conditions. Mr. Petrosa affirmed. The Township Secretary is to make the appropriate changes to the Resolution.

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AMENDMENTS TO ORDINANCE 104 – STORMWATER ORDINANCE

Kevin Matson of Kelly Engineers reviewed proposed changes to Township Ordinance 104 – Stormwater. The changes were summarized as follows:

1. Remove the reference to rescinding Ordinance 66A;
2. Clarify the language of the Ordinance to clearly convey that the Ordinance affects the entire Township;
3. Adds Section 304.B.23 requiring applicants proposing to construct retention/detention basins to include seven notes on the engineered plan regarding: protection and maintenance of the systems, sequences of construction, site meeting, notice and permits and approvals;
4. Revises Section 403.B (Brandywine Creek Watershed) to reduce the allowable post development runoff rate to the pre-developed 2 year storm rate for all 2, 5 and 10 year storms in the post developed conditions. (Commonly known as the “10 to 2 reduction”)
5. Revises Section 406.T.2 to allow the use of high density polyethylene pipe for storm sewers; and
6. Article VIII has been revised and captioned “**Prohibitions**”, and prohibits discharges into the stormwater sewer system of any discharges which are not entirely stormwater except for certain discharges under state and federal permits; prohibits all connections to storm sewer systems which carry non-storm water discharge including roof drains, and indoor drains, regardless of whether the connection was previously permissible and prohibits any alterations of any BMP.

MOTION TO APPROVE AMENDMENTS TO ORDINANCE 104 – STORMWATER MANAGEMENT

Upon motion and second (Paul, D’Elia) the Supervisors present adopted amendments to Ordinance 104.

BRANDYWINE CONSERVANCY REDUCTION IN LETTER OF CREDIT

Mr. Kelly informed the Board that he was suggesting a \$250,000 reduction in the Brandywine Conservancy's letter of credit for recent improvements. A balance of \$50,000 will remain pending resolution of the drainage situation at Station Way and Creek Roads.

MOTION TO APPROVE REDUCTION IN LETTER OF CREDIT – BRANDYWINE CONSERVANCY

Upon motion and second (Paul, D'Elia), the Supervisors present approved a \$250,000 reduction in the Brandywine Conservancy's letter of credit, with a \$50,000 balance to remain.

REVISION OF ACT 537 PLAN FOR ROUTE ONE CORRIDOR and CHADDS FORD VILLAGE

Township Engineer Jim Kelly announced that as a result of a follow up meeting with DEP, he has suggested minor revisions to the resolution for Adoption of Act 537 Plan. An updated resolution was prepared. There were no comments from audience

MOTION TO APPROVE RESOLUTION 2005-5 FOR ADOPTION OF ACT 537 PLAN UPDATE

Upon motion and second (D'Elia, Paul), the Supervisors present adopted Resolution 2005-5 as read into the record by Mr. Paul.

SUBDIVISION/LAND DEVELOPMENT APPLICATION PRESENTATION – TOLL BROTHERS CAMP SUNSET HILL

Susan Line Boswell, Esquire, representing Toll Brothers, presented a brief review of the PRD plan for the property known as Camp Sunset Hill. Mr. Donaghue suggested reviewing the entire resolution prior to approval. Revisions made during said review were hand written into the resolution by Mr. Donaghue. Mrs. Boswell accepted a conformed copy so that the changes can be typed into a final draft.

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Mrs. Love D'Elia asked for public comment. Fred Reiter, Atwater Road, questioned the ability of the Camp Sunset Hill Homeowner's Association to maintain the designated open space in perpetuity. Mr. Donaghue replied that any attempts to change the area designated as open space with building structures, etc., will not be permitted without Board approval.

MOTION TO APPROVE RESOLUTION 2005-4 FINAL APPROVAL FOR SUBDIVISION/ LAND DEVELOPMENT TOLL BROTHERS CAMP SUNSET HILL

Upon motion and second (Paul, D'Elia), the Supervisors present adopted Resolution 2005-4 as read into the record by Mr. Donaghue, and revisions thereto, subject to the 34 conditions and 19 waivers included therein.

A final draft of the resolution will be prepared by Mr. Donaghue and forwarded to

Toll Brothers for review and signature as the applicant.

ADJOURMENT

There being no further business, Mrs. Love D'Elia adjourned the meeting at 4:36 PM.

Respectfully submitted,

MARYANN D. FURLONG
Township Secretary